

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9104 of 2015

Arising Out of PS.Case No. -80 Year- 2014 Thana -MANSAHI District- KATIHAR

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1. Pramod Kumar Chaudhary son of Yogi Chaudhary, resident of
Dumariya Bishanpur, P.S. Mansahi, District Katihar

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh

For the Opposite Party/s : Mr. Amrendra Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 12-03-2015

Heard both sides.

The petitioner seeks bail in a case registered under section 366(A), 420, 376 /34 and 307 of the Indian Penal Code.

The victim informant alleged that she was raped by the petitioner on 20.02.2014 and petitioner assured to marry with the victim after converting his religion. She further alleged that on 04.08.2014 petitioner along with his brother again committed rape with her.

It is submitted that last occurrence is said to have taken place on 04.08.2014 but the complaint petition was filed on 11.08.2014 The victim herself filed a petition before the Women Help Line Katihar and she disclosed that she fell in love

with the petitioner. The petitioner had assured to marry her after converting his religion. The physical relation appears to be consensual. Age of the victim is between 20-22 years.

Learned counsel for the State opposed the prayer for bail. There appears that the victim was firstly outraged on 20.02.2014 but she did not lodge any complaint. She again had sexual relation on 04.08.2014 but the complaint petition was filed after one week of the occurrence. The victim herself made petition before the Women Help Line, Katihar and she disclosed that she fell in love with the petitioner. It appears that the sexual relation is consensual and thereafter the victim filed this case and made her statement under section 164 Cr.P.C. alleging that the petitioner committed rape with her.

Considering the aforesaid facts, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of Sri B.B. Roy, Judicial magistrate, Katihar in Mansahi P.S. Case no. 80 of 2014.

(Prabhat Kumar Jha, J)

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